



SCHEDULE K – PROCUREMENT & CONTRACTS

Subrecipient Name: «Applicant»	FIPS #: «FIPS»
Disaster/Grant Award: «DRGrant»	Project Number (if applicable): «DRGrant»

This questionnaire is being sent to your organization as a subrecipient of federal funds awarded through the California Emergency Management Agency (CalEMA) (formerly the Governor's Office of Emergency Services (OES)).

Please complete the following questionnaire as it relates to any **procurement and contract** costs that may have been included in any reimbursement request submitted for this grant and **return it to the following address by July 15, 2010:**

CalEMA,
3650 Schriever Avenue,
Grants Monitoring Division
Mather, CA 95655

For the purpose of this questionnaire, **procurement includes all stages of the process of acquiring property (items) or contracting for services**, beginning with the process for determining a need for property or services and ending with contract completion and closeout.

1. Did you procure any property or services under this grant award?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Did your organization enter into any contract under this grant award?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Did you award any contracts for debris removal under this grant award?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. If you entered into a contract under this grant award, was the contracted amount for: (check all that apply) a. >\$10,000 b. <\$100,000 c. >\$100,000 d. For construction or facility improvement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Please respond to the first 4 questions, at minimum. If Yes to question 1, 2 <i>or</i> 3 above, continue to question #5. If No , to questions 1, 2 <i>and</i> 3 above, please sign and return this schedule to the address shown above.	
5. Do you have written policies and procedures in place for procuring property or services?	<input type="checkbox"/> Yes <input type="checkbox"/> No

6. Do you have policies and/or procedures in place to verify bidders are not debarred or suspended?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Do your procedures include provisions to ensure that you used the most economical means of procurement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Are actions taken on a regular basis to assure that small business, women's business enterprises and labor surplus area firms are used when possible?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Do you have a written code of conduct for employees who award or administer contracts to ensure there is no conflict of interest?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Do you ensure that the procurement of all "competitive contracts" is obtained through full and open competition and free from unreasonable requirements?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. If any contract was over \$100,000, which of the following methods for procurement did you use? (check all that apply)	<input type="checkbox"/> N/A
a. Sealed Bids	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Competitive Proposals	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Non-competitive proposals (Sole-source)	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Other	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Did you use a non-competitive proposal? If yes:	<input type="checkbox"/> Yes <input type="checkbox"/> No
a. Was justification for sole-source procurement documented in writing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Was the procurement related to emergency work or public safety?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Was the non-competitive proposal authorized by CalEMA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Did you solicit a number of sources?	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Was the item available from only one source?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. If the contract was \$100,000 or under, did you obtain two or more qualified bids?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
14. What type(s) of contract(s) did you use under this grant?	
a. Time and Materials contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Lump Sum contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Unit price contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Cost plus fixed fee?	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Cost plus percentage?	<input type="checkbox"/> Yes <input type="checkbox"/> No
f. Other?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p>15. If you used a time and material contract, did you:</p> <p>a. Determine no other contract was suitable for this type of work?</p> <p>b. Include a ceiling price?</p> <p>c. Have a contract for more than 70 hours of work?</p>	<p><input type="checkbox"/> N/A</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>16. Do you have a procedure in place to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts and purchase orders?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>17. Do you have written contract protest procedures in place?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>18. Do your contracts contain administrative, contractual or legal remedies for contractor violations or breach of terms, and provide for sanctions and penalties?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>19. Do your contracts contain:</p> <p>a. A termination for cause and for convenience clause allowing contract termination?</p> <p>b. Provisions for access to the contractor's records related to the contract?</p> <p>c. Notice that records should be retained for three years after the final grant payment is made and all pending matters are closed?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>20. Do your contracts contain provisions for compliance with the:</p> <p>a. Copeland Anti-Kickback Act?</p> <p>b. Contract Work Hours Safety Standards Act?</p> <p>c. Clean Air Act?</p> <p>d. Clean Water Act?</p> <p>e. Provisions for Equal Employment Opportunity?</p> <p>f. EPA Regulations?</p> <p>g. California State Energy Plan as required under the Energy Policy and Conservation Act?</p> <p>h. Davis-Bacon Act?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>21. If you have construction or facility improvement contracts that exceed \$100,000, did the Contractor(s):</p> <p>a. Submit a bid guarantee with their proposal?</p> <p>b. Secure a payment bond covering 100% of the contract price?</p> <p>c. Secure a performance bond covering 100% of the contract price?</p>	<p><input type="checkbox"/> N/A</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

22. Do you maintain all procurement and contracts documentation for at least three years after the final expenditure report is made and all pending matters are closed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Certification Statement

This is to certify that, to the best of our knowledge and belief, the data furnished on this form is accurate, complete and current. We further understand that any fraudulent information contained on this form may have an effect on future CalEMA funding for this organization.

Prepared by <i>(Signature)</i> :	Date Signed:
Print Name:	Telephone #:
Authorized Certifying Official <i>(Signature)</i> :	Date Signed:
Print Name:	Telephone #:
Address:	